

1 BILL NO. R-82-12-21

2 RESOLUTION NO. R-01-83

3 A RESOLUTION FINDING, DETERMINING  
4 AND RATIFYING AN AMENDED INDUCEMENT RESOLUTION  
5 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
6 AUTHORIZING THE ISSUANCE AND SALE OF  
7 \$1,400,000 ECONOMIC REVENUE BONDS OF THE  
8 CITY OF FORT WAYNE, INDIANA,  
9 INCLUDING \$500,000 WHICH HAS ALREADY BEEN CLOSED,  
10 FOR THE PURPOSE OF INDUCING THE APPLICANT,  
11 MULLINEX PACKAGES, INC.  
12 TO PROCEED WITH THE ACQUISITION  
13 CONSTRUCTION AND EQUIPPING OF THE PROJECT.

14 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is  
15 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue  
16 bonds for the financing of economic development facilities, the  
17 funds from said financing to be used for the acquisition,  
18 construction and equipping of said facilities, and said facili-  
19 ties to be either sold or leased to another person or directly  
20 owned by another person; and

21 WHEREAS, Mullinex Packages, Inc. (the "Applicant") has  
22 advised the Fort Wayne Economic Development Commission and the  
23 Issuer that it proposes that the Issuer acquire and equip an  
24 economic development facility and sell and/or lease the same to  
25 the Applicant or loan proceeds of an economic development  
26 financing to the Applicant for the same, said economic develop-  
27 ment facility to be purchase of equipment in addition to the  
28 equipment previously induced, said equipment to be located at  
29 3500 Engle Road, Fort Wayne, Indiana (the "Project"); and

30 WHEREAS, the diversification of industry and an increase in  
31 approximately 16 jobs within three years to be achieved by  
32 the acquisition and construction and equipping of the Project  
will be of public benefit to the health, safety and general  
welfare of the Issuer and its citizens; and

33 WHEREAS, Mullinex Packages, Inc. (the "Applicant"), has  
previously filed an Application with the Fort Wayne Economic

1 Development Commission (the "Commission") on June 15, 1981; and

2 WHEREAS, the Commission adopted an Inducement Resolution on  
3 June 18, 1981 in favor of the Applicant in the amount of  
4 \$900,000.00; and

5 WHEREAS, the Issuer has issued \$500,000.00 of Revenue Bonds  
6 to finance economic development facilities for the Applicant and  
7 therefore, \$400,000.00 in Revenue Bonds have been authorized by  
8 the Commission and the Common Council of the City of Fort Wayne,  
9 but have remained unissued; and

10 WHEREAS, the Applicant has filed an Amended Application  
11 with the Commission requesting a total inducement of  
12 \$1,400,000.00 including the \$900,000.00 previously induced; and

13 WHEREAS, having received the advice of the Fort Wayne  
14 Economic Development Commission, it would appear that the  
15 financing of the Project would be of public benefit to the  
16 health, safety and general welfare of the Issuer and its  
17 citizens; and

18 WHEREAS, the acquisition and construction of the faci-  
19 lity will not have an adverse effect on any similar facility  
20 already constructed or operating in or about Fort Wayne,  
21 Indiana.

22 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
23 THE CITY OF FORT WAYNE, INDIANA:

24 SECTION 1. The Common Council finds, determines, rati-  
25 fies and confirms the promotion of diversification of economic  
26 development and job opportunities in and near Fort Wayne,  
27 Indiana and in Allen County, is desirable to preserve the  
28 health, safety and general welfare of the citizens of the  
29 Issuer; and that it is in the public interest that Fort Wayne  
30 Economic Development Commission and said Issuer take such action  
31 as it lawfully may to encourage diversification of industry and  
32 promotion of job opportunities in and near said Issuer.

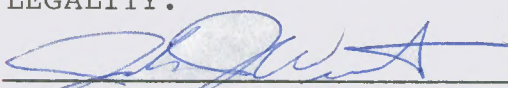


1           SECTION 2. The Common Council further finds, deter-  
2 mines, ratifies and confirms that the issuance and sale of reve-  
3 nue bonds in an amount not to exceed \$1,400,000.00 of the Issuer  
4 under the Act for the acquisition, construction and equipping of  
5 the Amended Project and the sale or leasing of such a financing  
6 to the Applicant for such purposes will serve the public purpose  
7 referred to above, in accordance with the Act.

8           SECTION 3. In order to induce the Applicant to proceed  
9 with the acquisition, construction and equipping of the Project,  
10 the Common Council hereby finds, determines, ratifies and con-  
11 firms that (i) it will take or cause to be taken such actions  
12 pursuant to the Act as may be required to implement the afore-  
13 said financing, or as it may deem appropriate in pursuance  
14 thereof, provided that all of the foregoing shall be mutually  
15 acceptable to the Issuer and the Applicant; and (ii) it will  
16 adopt such ordinances and resolutions and authorize the execu-  
17 tion and delivery of such instruments and the taking of such  
18 action as may be necessary and advisable for the authorization,  
19 issuance and sale of said economic development bonds.

20           SECTION 4. All costs of the Project incurred after the  
21 passage of this Inducement Resolution, including disbursement or  
22 repayment of the Applicant of monies expended by the Applicant  
23 for planning, engineering, interest paid during construction,  
24 underwriting expenses, attorney and bond counsel fees, acquisi-  
25 tion, construction and equipping of the Project will be per-  
26 mitted to be included as part of the bond issue to finance said  
27 Project, and the Issuer will thereafter either sell or lease the  
28 same to the Applicant or loan the proceeds of such financing to  
29 the Applicant for the same purposes.

30  
31           APPROVED AS TO FORM AND  
32           LEGALITY.

  
John J. Wernet, Attorney for the  
Economic Development Commission

Dated this 27<sup>th</sup> day of December, 1982

  
COUNCILMAN



Read the first time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M., E.S.T.

DATE: 12-28-82 Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BRADBURY</u>	<u>X</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 1-11-83 Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (RESOLUTION) NO. B-01-83 on the 11th day of January, 1983.

ATTEST: (SEAL) Ray - A. E. Bork  
Charles W. Westerman PRESIDING OFFICER  
CHARLES W. WESTERMAN - CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of January, 1983, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 14th day of January, 1983, at the hour of 3 o'clock P. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR. - MAYOR

BILL NO. R-82-12-21

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
~~ORDINANCE~~ A RESOLUTION FINDING, DETERMINING AND RATIFYING AN AMENDED  
INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
AUTHORIZING THE ISSUANCE AND SALE OF \$1,400,000 ECONOMIC REVENUE BONDS  
OF THE CITY OF FORT WAYNE, INDIANA, INCLUDING \$500,000 WHICH HAS  
ALREADY BEEN CLOSED, FOR THE PURPOSE OF INDUCING THE APPLICANT,  
MULLINEX PACKAGES, INC. TO PROCEED WITH THE ACQUISITION CONSTRUCTION  
AND EQUIPPING OF THE PROJECT

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS.

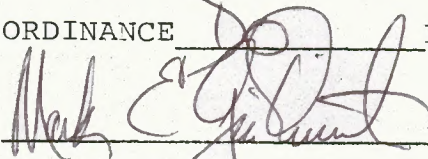
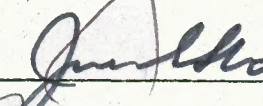
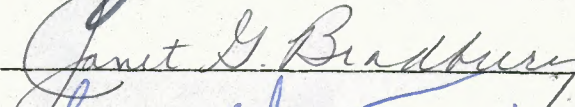
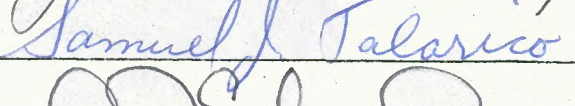
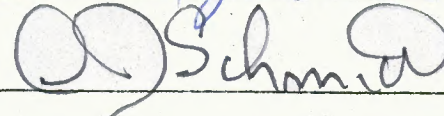
MARK E. GIAQUINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

SAMUEL J. TALARICO

DONALD J. SCHMIDT

1-11-83

CONCURRED IN

DATE

CHARLES W. WESTERHOLM, CITY CLERK